

REMARKS/ARGUMENTS

The Office Action mailed November 19, 2003, notes that claims 4-9, 13 and 14 would be allowable if rewritten in independent form. In addition, an objection to the specification was made for lacking an abstract. Finally, claims 1, 2, 10, 11 and 15 were rejected under 35 U.S.C. § 102(b) over U.S. Pat. No. 5,481,563 to *Hamre* and claims 3 and 12 were rejected under 35 U.S.C. § 103(a) over *Hamre* in view of U.S. Pat. No. 5,668,830 to *Georgiou et al.*

The amendment adds an abstract in accordance with 37 C.F.R. § 1.72(b) following page 42 of the specification. Support for the amendment is found, among other places, in original claim 15 on pages 41 and 42 of the specification. In light of the amendment, withdrawal of the objection to the specification is respectfully requested.

The amendment also cancels claim 4 and incorporates the elements of this claim into independent claim 1. Claims 13 and 14 have also been cancelled and the elements of claim 14 incorporated into independent claim 10. Claim 6 is amended to replace the word "item" with time, correcting a clerical error in the preliminary amendment. Support for the amendment can be found in original claim 6, which correctly states "the predetermined *time*." The elements of claim 6, as amended, have also be incorporated into independent claim 15. Finally the amendment adds dependent claims 16–23. Support for the new claims can be found in original claims 2–9. No new matter is added by the amendment, and claims 1–3, 5–12 and 15–23 are pending in the application.

The rejections of claims 1, 2, 10, 11 and 15 under § 102(b) over *Hamre*, and claims 3 and 12 under § 103(a) over *Hamre* in view of *Georgiou*, are made moot by the amendment. Independent claims 1, 10 and 15, as amended, incorporate the elements of allowable claims 4, 14, and 6, respectively. Accordingly, withdrawal of the rejection of claims 1, 2, 10, 11 and 15 under § 102(b) over *Hamre*, and claims 3 and 12 under § 103(a) over *Hamre* in view of *Georgiou* is respectfully requested.

Appl. No. 09/674,444
Amdt. dated May 14, 2004
Reply to Office Action of November 19, 2003

PATENT

CONCLUSION

In view of the foregoing, claims 1–3, 5–12 and 15–23 are believed to be in condition for allowance. Accordingly, the issuance of a formal Notice of Allowance at an early date is respectfully requested.

Please charge Deposit Account No. 24-1430 the \$950.00 fee for a 3-month extension of time 37 C.F.R. § 1.136(a)(1). Should any additional extension of time be required, please consider this a petition therefore and charge the required fee to the above-identified deposit account. No other fees are believed due with this Response, but should any be required, please charge the above-identified deposit account for any fee deficiency.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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